

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	CASE NO.: 1:21 CR 144
)	
Plaintiff,)	
)	MAGISTRATE JUDGE PAMELA A.
)	BARKER
v.)	
)	
DONTE FERGUSON.)	<u>MOTION FOR STAY OF EXECUTION</u>
)	<u>OF DEFENDANT'S RELEASE</u>
Defendant.)	

Now comes the United States of America, by and through counsel, Michelle M. Baeppler, First Assistant States Attorney, and Scott Zarzycki, Assistant United States Attorney, and respectfully request this Court stay the execution of defendant's release pending the Government's motion for revocation of the order of release pursuant to Title 18, United States Code, Section 3145(a)(1).

Respectfully submitted,

MICHELLE M. BAEPPLER
First Assistant United States Attorney

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MEMORANDUM

On March 31, 2022, a federal grand jury returned a one count indictment charging Donte Ferguson with Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 922(g)(1). (R. 1: Indictment). A warrant was also issued for Ferguson's arrest.

On May 19, 2022, Ferguson was taken to University Hospital after having been shot multiple times in the area of East 152nd Street and Darwin Avenue in Cleveland, Ohio. Law enforcement executed the arrest of Ferguson at the hospital and remained with him until his release.

After his release from the hospital, the court held his initial appearance on May 26, 2022, and ordered that he be detained until his detention hearing. On June 3, 2022, the court held a detention hearing and took the issue of detention under advisement. Since the detention hearing the courtroom deputy has indicated through email that the court will be granting the defendant a bond and provided the paperwork with bond conditions for the parties' review and defendant's signature. The government now respectfully requests this Court stay the execution of defendant's release pending the Government's motion for revocation of the order of release pursuant to Title 18, United States Code, Section 3145(a)(1).

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